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OLC 74-0168

7 February 1974

MEMORANDUM FOR: Messrs. Warner, [redacted]

SUBJECT: Testimonies of 6 February 1974 Regarding the Cushman Tape

1. Regarding the testimonies yesterday on the Cushman tapes, there is one significant discrepancy that developed.

a. According to Allen D. Kobliska the tape, as a normal part of routine after it was made, was transferred from a 10-1/2" reel to a smaller reel perhaps 7-1/2" or 5". He indicated this was done routinely to save tape when only a small portion of the tape was used. It was for this reason that Barbara Pindar could transcribe the tape at her desk using the Uher-5000 equipment, which would not accommodate the 10-1/2" reel.

b. Nicholas Popivchak, on the other hand, indicated that the tape was transferred to a smaller tape, perhaps a 5" reel, at the time Barbara Pindar requested the tape. He also said that at that time he made a couple of other copies and a cassette. The fact that a copy was made on a cassette suggests that it might have been for someone who did not have Agency equipment available, e.g. General Cushman (?).

2. I am just dashing this note off and am writing it jointly to the three of you knowing that you would be in consultation with each other on this.

[redacted]

Deputy Legislative Counsel

[redacted]

1 - [redacted]

1 - [redacted]

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